

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: ALAN WOLF, : Chapter 13
 : :
 Debtor : Bky. No. 15-10768 ELF

O R D E R

AND NOW, following a status hearing and by agreement of counsel, it is hereby **ORDERED** that the following deadlines shall apply in the contest matter arising from the Debtor's Objection to the Proof of Claim of Edward Jordan (Claim No. 4), see Doc. # 36).

1. All discovery shall be completed **on or before November 20, 2015**.
2. All motions to amend the pleadings, or for summary judgment,¹ shall be filed **on or before November 30, 2015**. If such a motion or motions is/are filed, the parties are **not relieved** of their obligation to comply with the terms of the balance of this Pretrial Order.
3. All discovery disclosures pursuant to Fed. R. Civ. P. 26(a)(3) shall be served on opposing parties and filed with the bankruptcy court **on or before November 30, 2015**.
4. Any objections to Rule 26(a)(3) disclosures shall be served on opposing counsel and filed with the bankruptcy court **on or before December 7, 2015**.
5. **On or before December 17, 2015**, the parties shall file a joint pretrial statement. The joint pretrial statement shall be signed by all counsel. ***It is the obligation of the Debtor's counsel to initiate the procedures for its preparation and to assemble and submit the proposed***

¹ A motion for summary judgment shall include a separate statement of those material facts that the movant contends are not in dispute with supporting citations to the record. Failure to comply with this requirement shall be grounds for summary denial of the motion.

pretrial statement to the court. Debtor's counsel shall submit a proposed joint pretrial statement to Defendant's counsel not less than 7 days prior to the deadline for its submission. Counsel are expected to make a diligent effort to prepare a proposed pretrial statement in which will be noted all of the issues on which the parties are in agreement and all of those issues on which they disagree. The proposed pretrial statement shall govern the conduct of the trial and shall supersede all prior pleadings in the case. Amendments will be allowed only in exceptional circumstances and to prevent manifest injustice.

6. The joint pretrial statement shall be in the following form:
 - A. Statement of uncontested facts.
 - B. Statement of facts which are in dispute. [No facts should be disputed unless opposing counsel expects to present contrary evidence on the point at trial, or genuinely challenges the fact on credibility grounds.
 - C. Legal issues presented and the constitutional, statutory, regulatory and decisional authorities relied upon. (Counsel should include a brief statement regarding which party has the burden of proof on each legal issue).
 - D. Witnesses listed along with a brief statement of the evidence the witness will give. Witnesses shall be classified between those whom any party expects to present and those whom any party may call if the need arises., If not already provided to all parties, the address and telephone number of each witness shall be disclosed.
 - E. A list of all exhibits to be offered into evidence which shall be serially numbered and physically marked before trial in accordance with the schedule. Documents which a party may offer if the need arises shall be separately identified.
 - F. Motion(s) In Limine: The parties shall identify any Motions *In Limine* that they believe need to be resolved prior to trial. The nature of the issue shall be described in sufficient detail to facilitate a discussion of the issue(s) at the final pretrial/settlement conference held (if one is held).
 - G. A list of each discovery item and trial deposition to be offered into evidence. (Counsel shall designate by page portion of deposition testimony and by number the interrogatories which shall be offered in evidence at trial).

7. After reviewing the Joint Pretrial Statement, if the court deems it necessary, a final pretrial conference will be held on **January 6, 2016, at 10:00 a.m., in Bankruptcy Courtroom No. 1, 2d floor, U.S. Courthouse, 900 Market Street, Philadelphia, PA.**
8. All trial exhibits shall be pre-marked and exchanged at least three (3) business days prior to the date of trial.
9. Trial of this contested matter is **SCHEDULED** on **January 18, 2016, at 9:00 a.m., in Bankruptcy Courtroom No. 1, 2d floor, U.S. Courthouse, 900 Market Street, Philadelphia, PA.**
10. The trial may be continued only in exceptional circumstances on Motion and with leave of Court.

Date: August 20, 2015



ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE